



**Eastern Waste Management Authority
Ordinary Board Meeting**

Minutes

Thursday 27 June 2024

Minutes

Eastern Waste Management Authority Ordinary Meeting of the Board of Management

Meeting to be held on Thursday 27 June 2024 commencing at 5:30pm,
at the City of Norwood, Payneham & St Peters, 175 The Parade, Norwood.

The Chair, Mr F Bell declared the Meeting open at 5.30 pm and that a quorum was present.

1. Acknowledgement of country

2. Present

Directors:

Mr F Bell	Independent Chairperson
Mayor M Jones	Corporation of the Town of Walkerville
Cr C Clutterham	City of Norwood, Payneham & St Peters
Mr S Dilena	City of Prospect
Mayor H Holmes-Ross	City of Mitcham
Mr P Di Iulio	Campbelltown City Council
Cr T Jennings	City of Burnside
Mr C Malak	City of Unley

Deputy Directors:

Mr D Waters	Adelaide Hills Council
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In Attendance:

Mr R Gregory	General Manager
Mr D Maywald	Manager, Business Services
Ms K Vandermoer	Coordinator Finance & Strategic Projects
Ms V Davidson	Executive Administration Officer
Ms M Bekesi	Leader of Education and Promotions
Mr J Freitas	Audit Director, Galpins
Mt G Parker	Consultant

3. Apologies

Cr L Huxter	Adelaide Hills Council
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4. Conflicts of interest

Cr C Clutterham advised that she has been preselected by the Australian Labor Party to run in the Federal seat of Sturt and will monitor and make appropriate declarations as needed.

5. Confirmation of the minutes

Moved Mr C Malak that the Minutes of the Eastern Waste Management Authority Ordinary Board Meeting held on Thursday 2 May 2024, be confirmed as true and correct record.

Seconded Mayor H Holmes-Ross

Carried

6. Matters arising from the minutes

Nil.

7. Questions Without Notice

Nil.

The Chair sought leave of the meeting to bring forward Item 9.2 Interim Audit Report. Leave was granted.

9. Reports

9.2 Interim Audit Report

Mr J Freitas, Audit Director, Galpins provided a brief overview of the recent Internal Audit of East Waste.

Moved Cr T Jennings that the East Waste Board endorses the Interim Audit Management Report and acknowledges all matters of note will be addressed prior to 30 September 2024.

Seconded Cr CClutterham

Carried

Mr J Freitas left the meeting at 5.48pm.

8. Presentations

8.1 Service Level Agreements

Presentation by Mr G Parker, Consultant on the development of Service Level Agreements.

Mr G Parker left the meeting at 6.16pm

8.2 Annual Education Summary

Presentation by Ms M Bekesi, Leader of Education and Promotions on education and promotional activities undertaken by East Waste in 2023/24.

Mr C Malak left the meeting at 6.35pm

9. Reports

9.1 Annual Business Plan & Budget Adoption

Moved Cr C Clutterham that the East Waste Board:

1. Adopts the 2024/25 Annual Business Plan and Budget, inclusive of all projects and expenditure, as presented in Attachment A.

2. Authorises East Waste to apply and borrow funds up to \$2,309,000 for the budgeted replacement of up to five (5) Collection Vehicles as identified within East Waste's Fleet Asset Management Plan 2020-2030, the replacement of operational motor vehicles and minor facility improvements.
3. The Board authorises the Chair and General Manager to execute required loan documentation and the affixation of the common seal on behalf of East Waste for borrowing undertaken in the 2024/25 financial year

Seconded Mayor M Jones

Carried

Ms M Bekesi left the meeting at 6.47pm.

9.3 Draft Internal Audit Charter

Moved Mr P Di Iulio that the East Waste Board:

1. Adopt the East Waste Internal Audit Charter, as presented in Attachment A, to assist with maintaining best practice standards and an on-going high level of compliance.
2. Authorises a budget variation in FY2025 of up to \$25,000 for the engagement of an external service provider to assist in the development of an Internal Audit Plan.

Seconded Mr D Waters

Carried

9.4 Annual Review of Items Held in Confidence

Moved Cr C Clutterham that the East Board Waste Board:

1. Notes that an annual review of all items held in confidence under section 91(9) of the *Local Government Act 1999* has been undertaken.
2. Following the annual review of the items held in confidence remakes the orders on the following items as listed in Attachment A, to Item 9.4, Ordinary Board Meeting 27 June 2024, and detailed below:
 - a. Item 1- Constituent Council Direction
 - i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.1 of the Special East Waste Board Meeting held on 1 July 2021 concerning the Constituent Council Direction remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information of a commercially sensitive and legal nature pursuant to section 90(3)(d) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.
 - ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.
 - b. Item 2 – Contract Matter
 - i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.1 of 1 of the Special

East Waste Board Meeting held on 8 July 2021 concerning the Contract Matter remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information of a commercially sensitive and legal nature pursuant to section 90(3)(d) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

c. Item 3 – Contract Matter

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.1 of 1 of the Special East Waste Board Meeting held on 22 July 2021 concerning the Contract Matter remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information of a commercially sensitive and legal nature pursuant to section 90(3)(d) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

d. Item 4 – Legal Matter

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.4 of the Ordinary East Waste Board Meeting held on 30 September 2021 concerning the Legal Matter remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information of a commercially sensitive and legal nature pursuant to section 90(3)(d) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

e. Item 5 – Verbal Update: Organics Contract Matter

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.3 of the Ordinary East Waste Board Meeting held on 25 November 2021 concerning the Verbal Update: Organics Contract Matter remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information relating to a tender for the supply of goods or for the provisions of services and legal advice pursuant to section 90(3)(k) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

f. Item 8 – Legal Matter Resolution

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.4 of the Ordinary East Waste Board Meeting held on 24 February 2022 concerning the Legal Matter Resolution remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information of a commercially sensitive and legal nature pursuant to section 90(3)(d) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

g. Item 24 – Review of Confidential Orders

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.1 of the Ordinary East Waste Board Meeting held on 23 June 2023 concerning the Review of Confidential Orders remain confidential on the basis that disclosure of the information contained within the associated Report and Attachments would disclose information of a commercially sensitive and legal nature pursuant to section 90(3)(d) and (h) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

h. Item 28 – Contract Evaluation Report

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.1 of the Audit and Risk Management Committee Meeting held on 5 August 2022 concerning the Contract Evaluation Report remain confidential on the basis that disclosure of the information contained within the associated Discussion and Attachment would disclose information of a commercially sensitive nature pursuant to section 90(3)(d) of the *Local Government Act 1999* and will not be available for public inspection until further order.

ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

i. Item 29 - Tender Assessment

i. Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.1 of the Ordinary Board Meeting held on 11 August 2022 concerning the Tender Assessment remain confidential on the basis that disclosure of the information contained within the

associated Discussion and Attachment would disclose information relating to a tender for the supply of goods or for the provisions of services pursuant to section 90(3)(k) of the *Local Government Act 1999* and will not be available for public inspection until further order.

- ii This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

j. Item 30 – Recycling Contract

- i Pursuant to section 91(7) and (9) of the *Local Government Act 1999*, the East Waste Board orders that the confidentiality order the subject of Minute Number 9.2 of the Ordinary Board Meeting held on 11 August 2022 concerning the Recycling Contract remain confidential on the basis that disclosure of the information contained within the associated Discussion and Attachment would disclose information relating to a tender for the supply of goods or for the provisions or services to section 90(3)(k) of the *Local Government Act 1999* and will not be available for public inspection until further order.

- ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.

3. That pursuant to section 91(9)(c) of the *Local Government Act 1999* the East Waste Board delegates to the General Manager to revoke, in whole or in part, the confidential orders associated with the items presented in Attachment B, Item 9.4, Ordinary Board Meeting 27 June 2024, as the orders become due.

Seconded Mayor M Jones

Carried

9.5 East Waste Strategic Plan Review – Next Steps

Moved Mayor M Jones that the Board notes and endorses the broad process to be undertaken in order to deliver a comprehensive review of the 2030 East Waste Strategic Plan and development of a revised document.

Seconded Cr T Jennings

Carried

Mayor H Holmes-Ross left the meeting at 7.24pm.

9.6 Review of the Sexual Harassment Policy

Moved Cr C Clutterham that the East Waste Board receives and adopts the revised Sexual Harassment Policy as presented as Attachment A to this report.

Seconded Cr T Jennings

Carried

9.7 Summary of General Manager Performance Indicators

Moved Cr T Jennings that the East Waste Board:

1. Notes and receives the completion of the General Manager's Key Performance Indicators for the period March 2024 – June 2024, as part of the General Manager's 2024 Performance Review.
2. Authorises the engagement of a suitably qualified consultant to assist in the review process of the General Manager and undertake a 360-Degree Performance Review.

Seconded Mr S Dilena

Carried

9.8 Information Report for June 2024

Moved Mayor M Jones that the East Waste Board receives and notes the Information Report for June 2024.

Seconded Cr C Clutterham

Carried

10. Confidential reports

10.1 Tender for Bin Supply and Maintenance

RECOMMENDATION 1

Moved Cr C Clutterham that pursuant to Section 90(2) and (3)(d) of the *Local Government Act, 1999* the East Waste Board orders that the public, with the exception of Mr Rob Gregory, Mr David Maywald, Ms Kelly Vandermoer and Ms Vanessa Davidson, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(b) information the disclosure of which—

(i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste;

(ii) would on balance be contrary to the public interest as the outcome of the decision may impact the tender process.

The East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

Seconded Mayor M Jones

Carried

RECOMMENDATION 3

Moved Cr T Jennings that in accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Board orders that the report, attachment, discussion and minutes be kept confidential until the contract is executed.

Seconded Cr C Clutterham

Carried

10.2 Supply of Compostable Bags Contract

RECOMMENDATION 1

Moved Mr S Dilena that pursuant to Section 90(2) and (3)(d) of the *Local Government Act, 1999* the East Waste Board orders that the public, with the exception of Mr Rob Gregory, Mr David Maywald, Ms Kelly Vandermoer and Ms Vanessa Davidson, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

- (b) information the disclosure of which—
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste;
 - (ii) would on balance be contrary to the public interest as the outcome of the decision may impact the tender process.

The East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

Seconded Cr T Jennings

Carried

RECOMMENDATION 3

Moved Cr T Jennings that in accordance with Section 91(7) and (9) of the *Local Government Act 1999* the East Waste Board delegates authority to the General Manager of East Waste to release the report, discussion and minutes on finalisation of the contractual agreements.

Seconded Mayor M Jones

Carried

11. Other business

- 11.1 The Chair attended a recent meeting of Eastern Region Alliance (ERA) CEOs and shared information about the works being undertaken by East Waste. Chris Cowley (City of Burnside), Matthew Pears (City of Mitcham - not being an ERA member) and Greg Georgopolous (Adelaide Hills Council – not being an ERA member) were not present at this meeting and the Chair will update them on the information shared.

Next meeting of the Board

The next Ordinary Board Meeting is scheduled to be held on Thursday 26 September 2024, commencing at 5:30pm, at the City of Norwood Payneham & St Peters, 175 The Parade, Norwood.

12. Closure of meeting

There being no further business the Chair declared meeting closed at 7.39pm.

These minutes have been signed as a true and correct record of the East Waste Ordinary Board meeting of 27 June 2024,

Signed _____
Chairperson

Date ____/____/____